

Before the State of South Carolina
Department of Insurance

In the matter of:)	
)	File Number 2000-103920
Paul A. Oakes,)	
)	Default Order Revoking
6635 Highway 29 North)	Resident Insurance Agent's License
Pelzer, South Carolina 29669.)	
_____)	

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 1999), by the State of South Carolina Department of Insurance upon Paul A. Oakes by both certified mail, return receipt requested, and by regular mail on October 11, 2000.

That informed Oakes of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. Further, that letter warned Oakes that his failure to make a timely, written request for a hearing would result in my summary revocation of his license to do business as a resident insurance agent within the State of South Carolina. Despite that warning, Oakes has failed to request a hearing or otherwise respond to the Department's letter. On December 4, 2000, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance agent within the State of South Carolina, Oakes was convicted by the South Carolina Circuit Court of General Sessions, Greenville County, of "Making False Statements or Misrepresentations" (Insurance Fraud) in State of South Carolina v. Paul A. Oakes (Criminal) Docket Number 00-GS-23-5101.

S.C. Code Ann. § 38-43-130 (Supp. 1999) provides the Director of Insurance may revoke or suspend an agent's license after ten day's notice "when it appears that an agent has been convicted of a crime of moral involving moral turpitude, has violated [the state's insurance laws], or has willfully deceived or dealt unjustly with the citizens of this State." Oakes was convicted of violating Section 38-55-540 of the state's insurance laws.

In accordance with my findings of fact, and considering Oakes's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Oakes' resident insurance agent license should be revoked.

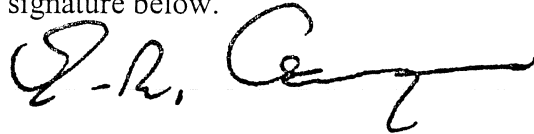
This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.* (1991 and Supp. 1999). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to

limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (4) (Supp. 1999), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore ordered that Paul A. Oakes' license to transact business as a resident insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Oakes is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance agent within the State of South Carolina.

This order takes effect upon the date of my signature below.

A handwritten signature in black ink, appearing to read "E. N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

5 December 2000, at
Columbia, South Carolina

Before the State of South Carolina
Department of Insurance

In the matter of:

Paul A. Oakes,

6635 Highway 29 North
Pelzer, South Carolina 29669.

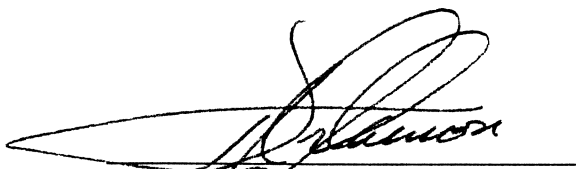
File Number 2000-103920

Affidavit of Default

Personally appeared before me T. Douglas Concannon, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

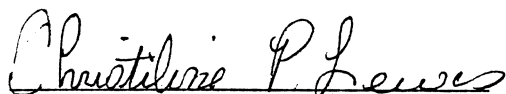
The Department served notice on Paul A. Oakes at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance agent within the State of South Carolina in ten days. The Department served that notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 1999), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That letter further notified Oakes of his opportunity, within ten days, to request in writing a public hearing.

The United States Postal Service effected service of the notice by certified mail, return receipt requested, and by regular mail, on or about October 13, 2000. Oakes has made no request for a public hearing or any other response to the notice. The time in which to do so has expired. He is now in default.



T. Douglas Concannon
Associate General Counsel

Sworn to and subscribed before me
this 4th day of December 2000.



Christiline P. Lewis
Notary Public for the State of South Carolina
My Commission Expires 11/20/06

South Carolina Department of Insurance
Post Office Box 100105
Columbia, South Carolina 29202-3105
(803) 737-6132